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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,309	06/16/2000	Werner Blumel	PHO 99,527	1287

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER

ONUAKU, CHRISTOPHER O

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/595,309

Applicant(s)

BLUMEL ET AL.

Examiner

Christopher O. Onuaku

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 June 2000 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                                        |                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6</u> . | 6) <input type="checkbox"/> Other: ____                                                |

## **DETAILED ACTION**

### **Claim Objections**

1. Claims 1-11 are objected to because of the following informalities: Claims 1-11 each contains elements in parenthesis, and the elements in parenthesis should be deleted. Appropriate correction is required.

### **Abstract**

2. The abstract of the disclosure is objected to because the Abstract contains elements in parenthesis, and the elements in parenthesis should be deleted. Correction is required. See MPEP § 608.01(b).

### **Drawings**

3. The drawings are objected to because Fig.1 is not completely labeled. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several

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views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Allowable Subject Matter***

4. Claims 1-11 are allowable over the prior art of record.
5. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the invention relates to a recording device for recording digital recording data in a recording mode of the recording device with data bus means to which a digital bus can be connected and which are designed for receiving input data transmitted in at least first input channel of the data bus.

The closest references Mostafa et al (US 5,495,282) disclose monitoring usage of video monitoring systems, including monitoring viewing of a video monitoring system that includes a video monitor, a cable converter and a VCR, and Matsumi et al (US 6,711,343) teach a data recording/reproducing apparatus for recording/reproducing digital stream data, including a data recording/reproducing apparatus for recording/reproducing digital video and audio stream data as files.

However, Mostafa and Matsumi fail to explicitly disclose a recording device for recording digital recording data in a recording mode of the recording device, where the recording device comprises wherein a record-prepared mode can be activated in the recording device, test means are provided for testing whether input data are being received in the first input channel, and when the record-prepared mode is activated, the test means are capable of activating the recording mode for recording as recording data input data received in the first and/or in at least one second input channel for the time duration of reception of input data in the first input channel.

Regarding claim 11, the invention relates to a recording device for recording digital recording data in a recording mode of the recording device with data bus means to which a digital bus can be connected and which are designed for receiving input data transmitted in at least first input channel of the data bus.

The closest references Mostafa et al (US 5,495,282) disclose monitoring usage of video monitoring systems, including monitoring viewing of a video monitoring system that includes a video monitor, a cable converter and a VCR, and Matsumi et al (US 6,711,343) teach a data recording/reproducing apparatus for recording/reproducing digital stream data, including a data recording/reproducing apparatus for recording/reproducing digital video and audio stream data as files.

However, Mostafa and Matsumi fail to explicitly disclose a method of recording digital recording data by means of a recording device, where the method comprises the step of recording the recording data on a data carrier, and characterized in that it is

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tested in the case of an activated record-prepared mode in the recording device whether input data are being received in the first channel, and in that the input data received in the first and/or in at least one second input channel are recorded as recording data for the duration of reception on input data in the first channel.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fukushima et al (US 6,295,086) teach image processing apparatus/method for recording digital still images on a data storage medium based on moving images reproduced from a digital VTR, for example.

Taira (US 6,415,098) teaches an image recording/reproducing apparatus which records/reproduces image data with respect to a recording medium capable of recording a large amount of data.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher O. Onuaku whose telephone number is (703) 308-7555. The examiner can normally be reached on M-F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew B. Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
COO  
6/25/04

  
THAI TRAM  
PRIMARY EXAMINER